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USE OF TRAINED INTELLIGENCE ANALYSTS

SOURCE Chinese periodical, Taiwan Government Gazette, 16 May 1947. (FIB For Abs 14G10 -- Translation specifically requested.)

ELECTION AND DISMISSAL OF PRESIDENT AND VICE-PRESIDENT

Promulgated 31 March 1947

ARTICLE 1

The National Assembly shall, according to the provisions of the constitution and of this law, conduct the election to and dismissal from office of the President and Vice-president.

ARTICLE 2

Each meeting of the National Assembly shall, 60 days before the expiration of the term of the President and Vice-president (elected) at the previous meeting, hold an election for President and Vice-president.

The date of the first election of President and Vice-president shall be fixed by the National Assembly.

ARTICLE 3

The election of the President and the Vice-president shall be held separately; first that of the President, then that of the Vice-president.

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The procedure for electing the President shall be as follows:

a. A hundred or more delegates to the National Assembly may, within a period decided by the Assembly, nominate over their signatures a candidate for President; but, each delegate may sign only one nomination.

The list of Presidential candidates shall be arranged in order of the number of signatures and published 3 days before the election.

b. Inspection of the balloting and the opening of the ballots shall be done by National Assembly delegates.

The number of such inspectors shall be separately fixed by the Assembly; the list shall be nominated by the presidium for the Assembly to confirm.

c. The National Assembly delegates shall vote by secret ballot for a President by encircling one name of the Presidential candidates listed on the ballot. The candidate obtaining a majority of the ballots of all the delegates shall be elected.

When no one obtains a majority as provided above, there shall be a second ballot for the three highest candidates by encircling one name; when no one is elected, a third ballot shall be taken by encircling one name; when still no one is elected, one name of the two highest on the third ballot shall be encircled, and the one who receives the majority will be elected. In case of a tie, there shall again be a procedure of choice by encircling one name, and the one receiving the most votes shall be elected.

The result of the voting shall be formally announced on the assembly floor by the chairman.

ARTICLE 5

The provisions of the foregoing section shall apply to the nomination and election of the Vice-president.

ARTICLE 6

Certificates of the election of the President and Vice-president shall be separately presented by the presidium of the National Assembly.

ARTICLE 7

The elected President and Vice-president shall take office at the expiration of the term of the present President and Vice-president. The first President and Vice-president shall take office within 20 days after election.

ARTICLE 8

National Assembly delegates may not request the dismissal of a President who has not been in office 12 months.

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ARTICLE 9

The dismissal of a President shall follow the procedure provided for below:

a. The request for dismissal should state the reasons; and must be issued only over the signatures and seals of one-sixth or more of the total number of National Assembly delegates.

The above-named request, with signatures, after being received by the chief secretary of the National Assembly, must be made public. If within 30 days after its being made public, no one denies the fact of his signature, or, while there are denials, the signatures remain a full one-sixth of the total number of delegates, the request shall be forwarded to the President of the Legislative Yuan.

b. After the President of the Legislative Yuan has received the request for dismissal, he shall at once send a copy to the President, and call the National Assembly into an emergency session within one month.

c. After the President receives the above-named copy, he may issue a reply to the National Assembly. The said reply shall be made public by the secretary's office of the National Assembly.

d. The decision on the motion for dismissal shall be by secret ballot, and must be passed by a majority of the total number of delegates. After it has been passed, the presidium of the National Assembly shall formally notify the President, and the President shall at once be relieved of office.

ARTICLE 10

When the Control Yuan presents an impeachment of the President to the National Assembly, the National Assembly shall decide whether or not the President shall be dismissed. The said decision shall be effective on the approval of two-thirds of the delegates attending the National Assembly.

ARTICLE 11

If the motion for dismissal is lost, the original requesters may not make another request for the dismissal of the same President.

ARTICLE 12

The provisions of the foregoing four sections shall apply to dismissal of the Vice-president.

ARTICLE 13

When the President is dismissed and leaves office, the Vice-president shall succeed him for the remainder of the former President's original term.

ARTICLE 14

Violations of the criminal code in the matter of election and dismissal shall be dealt with according to that code.

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